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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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McGuireWoods LLP
1750 Tysons Boulevard,
Suite 1800
McLean, VA 22102

EXAMINER

RAMAN, USHA

ART UNIT PAPER NUMBER

2617

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/670,865	Applicant(s) YEO ET AL.	
	Examiner Usha Raman	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Response to Arguments

1. Applicant's arguments filed April 15th, 2005 have been fully considered but they are not persuasive.

Applicant argues that Schein fails to disclose that the video program in progress is displayed in full screen. The examiner respectfully disagrees. The claim limitation merely requires that a video be displayed in full screen, which is illustrated by figure 17A of Schein. Contrary to applicant's arguments, the claim limitation does not stipulate that the preview window overlap the program window, while the video program is shown in full screen. Furthermore, Schein discloses in figures. 17A-C that the program is displayed in full screen while supplemental/preview information is overlaid on the "full screen" video program. As a result, the examiner maintains rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 21-36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 21, 25, 30 and 36 recite limitations indicating the display of a video program on a full screen. However, there is insufficient support for this feature in the disclosure. The disclosure merely indicates the display of video program on a video window however neither specifies nor necessitates that the video window be a full screen display (see disclosure page 7, lines 22-26, page 8, lines 22-28).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 21, 23-24, 30, 32, 34-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Schein et al. (US Pat. 6,732,369).

Regarding Claim 21, Schein discloses a video viewing system comprising means for selecting a programming channel containing a video program in progress (See Figure 16A) and a display screen for viewing a full screen display of a video program in progress (See Figure 1, (32), Figure 17A, and column 23, lines 23-26). Schein also discloses windows (See Figure 16A, 526 and 528; Figures 17B, 17C) for displaying the current program and a preview window, which may include a short preview of a show that is currently being highlighted (Col. 22, Lines 50-56). The preview reads on the claimed at least one summary frame also displayed on the

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display screen along with the video program in progress at a same time when the programming channel is selected (show is highlighted in the EPG matrix). As is well known in the art a preview contains a selection of frames highlighting various scenes throughout the program. This reads on the claimed summary frame comprising a past frame from the video program in progress: It is inherent that the EPG grid would display a listing for the channel currently being watched in order for the user to locate and tune to the channel. Therefore, it would be possible for the user to be simultaneously tuned to the channel and have it highlighted in the EPG grid in order to receive the program preview in the second window.

Regarding Claim 23, Schein discloses a system as stated above in Claim 21, wherein the summary is a short preview of a show as stated above. This reads on the claimed plurality of summary frames each corresponding to a past frame from the video program in progress.

Regarding Claim 24, Schein discloses a system as stated above in Claim 21, wherein the summary is a short preview of a show as stated above. As is well known in the art, a preview contains a selection of frames highlighting various scenes throughout the program. This reads on the claimed at least one preview frame comprising a future frame from the video program in progress.

Regarding Claim 30, Schein discloses a method for informing a viewer of the content of a video program in progress comprising display a short preview of a show that is selected by a user (Col. 22, Lines 50-56). It is inherent that the preview must be created prior to being made available for viewing by the user. This reads on the

claimed selecting a plurality of summary frames depicting selected events from a video program. The summary frames are embedded in a window of the video program (See Figure 16A, 528; Figures 17B, 17C). The video program comprising the summary frames is transmitted over a media (Col. 6, Lines 44-55). The video program and summary frames are displayed on a screen at the same time when a viewer selects the video program as stated above in Claim 21.

Regarding Claim 32, Schein discloses a method as stated above in Claim 30. Schein further discloses viewing the currently tuned channel in one window and the preview of the selected channel in a separate window. It is well known in the art that television programming may contain advertisements, which would subsequently be shown in the display window (526). Schein makes no mention of changes in the programming affecting the playback of the program preview in the separate window. Therefore, this reads on the claimed continuing to display the summary frames (528) when the video program is preempted by an advertisement or other interruption.

Regarding Claim 34, Schein discloses a method as stated above in Claim 30, wherein the step of displaying the video program comprising the summary frames on a screen comprises placing the video program and said summary frames in designated windows on the screen (See Figure 16a).

Regarding Claim 35, Schein discloses a method as stated above in Claim 30, wherein the user is operable to view a preview based on the channel highlighted in the EPG grid (Col. 22, Lines 50-56). This reads on the claimed video program and the video program in progress are on different channels.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 22, 25-29, 31, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (US Pat. 6,732,369) in view of Matthews, III (US Pat. 5,815,145).

Regarding Claim 22, Schein discloses a system as stated above in Claim 21. What is not disclosed, however, is that the selection of at least one summary frame displays a video segment on the viewing screen corresponding to the summary frame. Matthews discloses a system for providing a plurality of summary frames (See Figure 4) wherein at least one of the tiles includes a multi-frame video segment (Co1. 4, Lines 49-55) that is accessed when a viewer focuses on a tile (Co1. 5, Lines 16-45). This reads on the claimed selection of at least one summary frame displaying a video segment corresponding to the summary frame. Matthews is evidence that one of ordinary skill in the art would appreciate the benefits of displaying a still frame and allowing a user to select it in order to receive a video preview. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Schein with the still frame linked to a video preview of Matthews in order to save bandwidth by only transmitting video for the still frames a user expresses interest in.

Regarding Claim 25, Schein in view of Matthews disclose a user interactive video viewing system comprising a display screen for viewing a full screen display of a video program (see Schein: Fig. 17A), at least one summary frame displayed on the display screen at a same time with a video program (see Schein: figs. 16A, 17B, 17C), the summary frame comprising one of a past or future frame of the program as stated above in Claims 21 and 22. Matthews further discloses a control means (See Figure 3) for allowing a user to change the video program (Col. 4, Lines 35-43) and for allowing the user to select at least one summary frame to play at least a segment of the video program corresponding to the summary frame (Col. 4, Lines 49-55 and Col. 5, Lines 16-46).

Regarding Claim 26, Schein in view of Matthews disclose a system as stated above in Claim 25. Schein further discloses that the system comprises a television system (Col. 5, Line 61).

Regarding Claim 27, Schein in view of Matthews disclose a system as stated above in Claim 26. Schein discloses viewing the currently tuned channel in one window and the preview of the selected channel in a separate window. It is well known in the art that television programming may contain advertisements, which would subsequently be shown in the display window (526). Schein makes no mention of changes in the programming affecting the playback of the program preview in the separate window. Therefore, this reads on the claimed continuing to display the summary frames (528) when the video program is preempted by an advertisement or other information.

Regarding Claim 28, Schein in view of Matthews disclose a system as stated above in Claim 26. Schein further discloses an exit area that allows a viewer to exit back to the television (Col. 22, Lines 48-56). This reads on the claimed user being able to delete the summary frames from the display screen.

Regarding Claim 29, Schein in view of Matthews disclose a system as stated above in Claim 25. Schein further discloses a client system (Col. 5, Lines 29-34) coupled to a remote server (Col. 5, Lines 3-8).

Regarding Claim 31, Schein discloses a method as stated above in Claim 30. Schein also discloses exiting the EPG to return to television view as stated above in Claim 28. This reads on the claimed resuming the video program when the video segment has finished. What is not disclosed, however, is displaying a video segment corresponding to a particular summary frame when the summary frame is selected by a viewer. Matthews discloses a system for providing a plurality of summary frames (See Figure 4) wherein at least one of the tiles includes a multi-frame video segment (Col. 4, Lines 49-55) that is accessed when a viewer focuses on a tile (Col. 5, Lines 16-45). This reads on the claimed selection of at least one summary frame displaying a video segment corresponding to the summary frame. Matthews is evidence that one of ordinary skill in the art would appreciate the benefits of displaying a still frame and allowing a user to select it in order to receive a video preview. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Schein with the still

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frame linked to a video preview of Matthews in order to save bandwidth by only transmitting video for the still frames a user expresses interest in.

Regarding claim 36, the limitations of the claim have been discussed with regards to Claims 21-24.

8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schein et al. (US Pat. 6,732,369) in view of Nijima et al. (US Pat. 5,926,230) .

Regarding Claim 33, Schein discloses a method as stated above in Claim 30. What is not disclosed, however, is the step of writing selected frames from the selecting step in a row direction of a table and reading the selected frames from the table in a column direction to interleave the summary frames displayed on the screen. Nijima discloses an EPG where the user is operable to select a program from a preview of summary screens (Col. 22, Lines 25-45). Summary frames are stored in a row and column format (See Figure 19 and Col. 19, Lines 49-57) and the user is operable to scroll in the display (Col. 21, Lines 23-44), including in a column direction (up or down). This reads on the claimed writing selected frames from the selecting step in a row direction of a table and reading the selected frames from the table in a column direction to interleave the summary frames displayed on the screen. Nijima is evidence that ordinary workers in the art would appreciate the ability to scroll amongst a plurality of summary frames. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Schein with the scrolling of Nijima in order to allow

the user to visually choose a channel to watch based on a plurality of scrollable preview frames.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600